



# AGENDA ITEM MEMORADUM

Item No. 11F

**Capital Fund**

Department

**Bill Cole, Project Manager**

Department Director

*BC*

COMMISSION MEETING DATE (*) - 7:00 PM	Deadline to Town Clerk
<input checked="" type="checkbox"/> July 24, 2012	July 13

**\*Subject to Change**

- |                                       |                                   |                                             |                                    |
|---------------------------------------|-----------------------------------|---------------------------------------------|------------------------------------|
| <input type="checkbox"/> Presentation | <input type="checkbox"/> Reports  | <input checked="" type="checkbox"/> Consent | <input type="checkbox"/> Ordinance |
|                                       | Quasi-                            | Old                                         | New                                |
| <input type="checkbox"/> Resolution   | <input type="checkbox"/> Judicial | <input type="checkbox"/> Business           | <input type="checkbox"/> Business  |

**FY2012 DESIGNATED HIGH PRIORITY ITEM - PRIORITY**  
**TOPIC: Bougainvilla Project**

**SUBJECT TITLE: BOUGAINVILLE DRAINAGE & STREETScape PROJECT**

**EXPLANATION:** After the Commission directed the designers to proceed with landscaping on the swale at 28 locations on Bougainvillea Drive, the owner of Mt. Vernon apartments (4604 Bougainvillea Dr.) voiced strong dissatisfaction and asserted that his property had been approved by the Town to have parking the full width of all three lots even though not all of his frontage is currently striped for parking. Staff searched the old files for that property and confirmed the claim. Blueprints dated 1963 clearly indicate 15 parking spaces across the three lots.

In the interest of avoiding legal disputes with other property owners for similar reasons, staff searched the historical files on all properties adjacent to planned landscape islands. An inconsistent mixture of drawings and documents was discovered in the old files. Some properties have drawings with parking clearly delineated, while others make no mention of parking whatsoever. In some cases the original drawings show nothing, but a survey of the property made at a later date and inserted in the file indicates parking. Most of those surveys were included with building permit applications, but that doesn't mean that the Town had authorized the parking areas reflected in the survey to be paved. A few properties were originally constructed as single family dwellings with a single carport, but were later converted to apartments with multiple parking spaces. Sometimes the permit files for the conversions show that the Town approved additional parking spaces (in the newer files); in other cases, the parking is not addressed.

The information gathered from the investigation of the property files leads us to suggest that only the 3 landscaped islands in front of Mt. Vernon need to be eliminated. In addition, we recommend that the size of the island at 4637 Bougainvillea be reduced a bit.

The good news is that we can add some landscaping on Washingtonia, in the general project area. The cost of doing so can be accommodated in the project budget, the designers will charge no additional fees to include that area, and it will generally improve the appearance of the area.



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**RECOMMENDATION:** Staff seeks approval to proceed to final design with the changes referenced above.

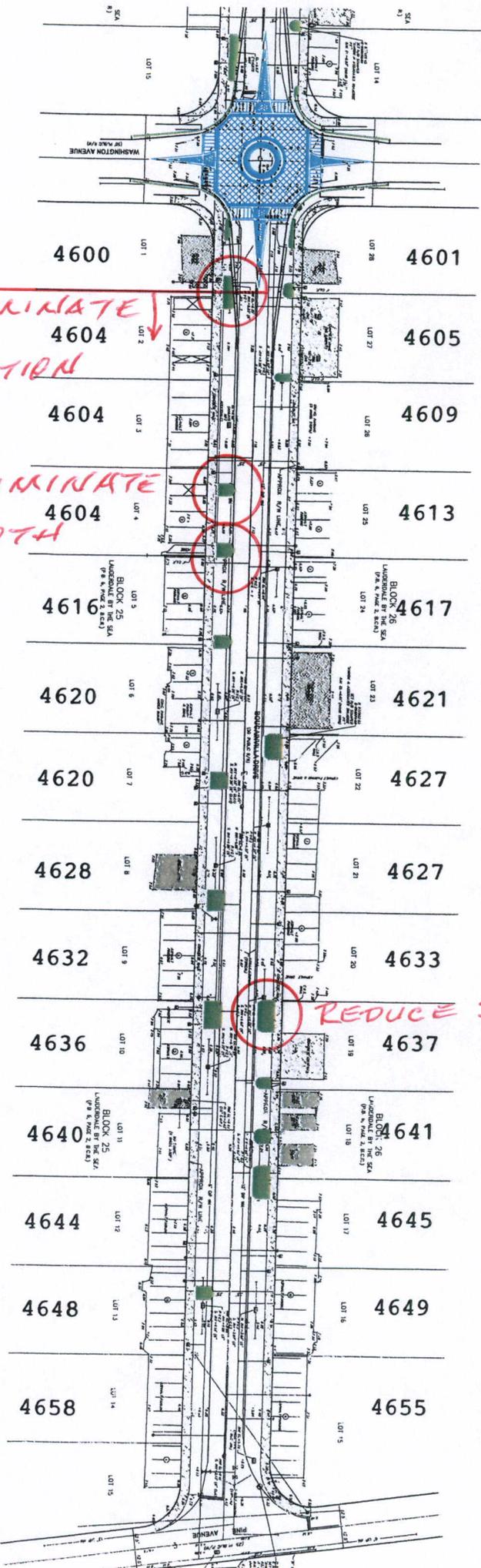
**EXHIBITS:** Spreadsheet summary of data and landscape plans.

Reviewed by Town Attorney

Yes  No

Town Manager Initials

CS

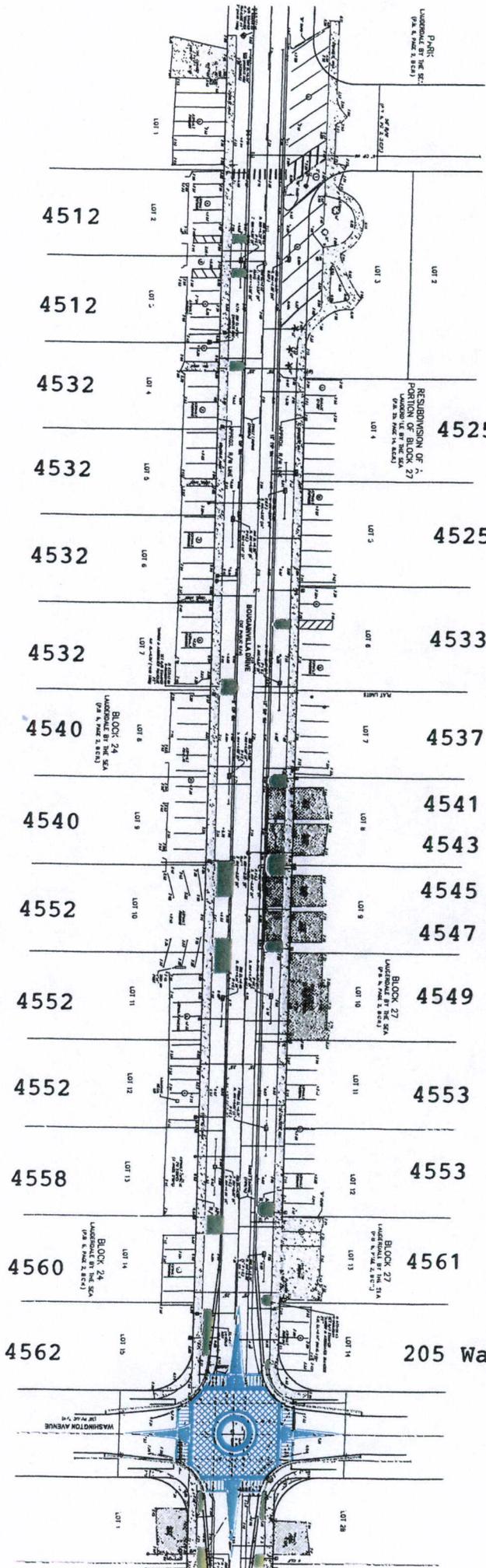


*ELIMINATE THIS PORTION*

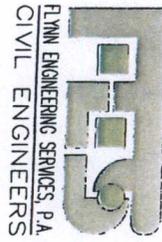
*ELIMINATE BOTH*

*REDUCE SIZE*

NORTH  
N.I.S.  
NORTH



N.T.S.  
 SOUTH  
 NORTH



205 Washingtonia

Street #	Block #	Lot #	Parking indicated on original drawings	Compatible with plan?	Owner's Opinion
4512	24	2, 3	lot 2 shows 6 spaces - 8'x20' + 2' walk, no drawings for lot 3 in file, but a 1988 survey shows the entire area paved on both lots	OK to proceed with landscaping	property owner did not respond to request for opinion letters
4532 Mana Loa condo	24	4, 5, 6, 7	plans show full width paved for parking, 22 spaces, no gaps, however present striping has open spaces	OK to proceed with landscaping	owner is very much in favor of landscape plans
4540 Lamplighter Condo	24	8, 9	plans show full width paved for parking, 10 spaces plus path for walking	OK to proceed with landscaping; only a sliver of landscape to be installed on this property	owner is very much against the entire project & has threatened legal measures
4552 Bermuda Isles condo	24	10, 11, 12	lot 10 shows parking parallel to street which would allow landscape islands, lots 11&12 show full width paved	OK to proceed with landscaping	owner is very much against the entire project & has threatened legal measures
4560, 4562 Seacrest	24	14, 15	plans do not show any parking	OK to proceed with landscaping	owner (Anthony) is in favor of project including landscaping
4600	25	1	original design had double carport in center of lot, later 1/2 enclosed	OK to proceed with landscaping	owner had no comment regarding landscaping, but was against traffic circle
4604 Mt Vernon	25	2, 3, 4	original design shows full width paved for parking - 15 spaces	NO	owner is very much against the landscape portion of the project
4616	25	5	original plan shows a single carport, later version has 3 parking spaces on north side of lot, currently striped for 5 spaces, full width	OK to proceed with landscaping	owner is opposed to landscaping because he will lose place to put garbage out
4620 Sangria	25	6, 7	full width parking	OK to proceed with landscaping - located at extreme ends of property	property owner did not respond to request for opinion letters
4628	25	8	originally a single carport, now paved for two spaces	OK to proceed with landscaping	owner is not in favor of landscaping due to maintenance
4632	25	9	full width parking, 5 spaces + walk	OK to proceed with landscaping - located at extreme ends of property	property owner did not respond to request for opinion letters
4636 Mockingbird	25	10	no street parking on original design, single garage only, later enclosed	OK to proceed with landscaping	Owner Larry Salay is very much opposed to the landscaping
4648 Harmony House	25	13	no street parking on original design	OK to proceed with landscaping	property owner is in favor of landscaping but thinks the Town should maintain

Street #	Block #	Lot #	Parking indicated on original drawings	Compatible with plan?	Owner's Opinion
4645	26	17	original plan shows full width paved for parking, but currently space exists for landscape island	OK to proceed with landscaping	property owner did not respond to request for opinion letters
4641	26	18	no site plan in file	OK to proceed with landscaping	property owner did not respond to request for opinion letters
4637	26	19	no file found	OK but wants smaller island	owner is in favor of landscaping but wants smaller island and thinks the Town should maintain
4627	26	21, 22	no street parking on original plans	OK to proceed with landscaping	owner is very much in favor of landscape plans
4605	26	27	full width paved parking, 5 spaces	OK to proceed with landscaping - located at extreme ends of property	property owner did not respond to request for opinion letters
4601	26	28	plans show 18 foot driveway	OK to proceed with landscaping	owner's response did not address landscaping, they were adamantly opposed to the traffic circle
4533	27	6	no parking shown on original plans	OK to proceed with landscaping	property owner did not respond to request for opinion letters
4541	27	8a	6 foot landscape area shown on plans at north and south ends	OK to proceed with landscaping	owner is in favor of landscaping but wants to choose the tree variety due to allergies
4543	27	8b	6 foot landscape area shown on plans at north and south ends	OK to proceed with landscaping	property owner did not respond to request for opinion letters
4545	27	9a	6 foot landscape area shown on plans at north and south ends	OK to proceed with landscaping	property owner did not respond to request for opinion letters
4547	27	9b	6 foot landscape area shown on plans at north and south ends	OK to proceed with landscaping	property owner did not respond to request for opinion letters
4553 Tropicaire Motel	27	11, 12	full width paved parking, 12 spaces	OK to proceed with landscaping	property owner did not respond to request for opinion letters
4561	27	13	no file found	OK to proceed with landscaping - located at extreme ends of property	property owner did not respond to request for opinion letters
205 Washingtonia	27	14	plans show 4 spaces plus walk space	OK to proceed with landscaping	owner is in favor of the project